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U.S. DEPARTMENT OF COMMERCE

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/941,947	08/29/2001	Patricia C. Brzostowicz	CL1903 US NA

CONFIRMATION NO. 6363

23906

E I DU PONT DE NEMOURS AND COMPANY
LEGAL DEPARTMENT - PATENTS
1007 MARKET STREET
WILMINGTON, DE 19898

RECEIVED

OCT 24 2001

PATENT RECORDS
CENTER

FORMALITIES LETTER



OC00000006928234

DIN OCT 24 2001

Date Mailed: 10/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$540.
 - \$540 for 30 total claims over 20.**
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1380.**

01/29/2002	MBERIE	00000072	041928	09941947
01	FC101	740.00	CH	
02	FC105	130.00	CH	
03	FC103	540.00	CH	

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of

the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Please type a plus sign (+) inside this box → +

Approved for use through 10/31/2002, OMB 0651-0031

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Box 201 Section 18

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/941,947

Filing Date

AUGUST 29, 2001

First Named Inventor

BRZOSTOWICZ ET AL.

Group Art Unit

1645

Examiner Name

UNKNOWN

Total Number of Pages in This Submission

Attorney Docket Number

CL1903 US NA

ENCLOSURES (check all that apply)

Fee Transmittal Form

Fee Attached

Amendment / Response

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers
(for an Application)

Drawing(s) 14 sheets

Licensing-related Papers

Petition

Petition to Convert to a Provisional Application

Power of Attorney – 8 SHEETS

Terminal Disclaimer

Request for Refund

CD, Number of CD(s) _____

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s) (please identify below):

DECLARATION UNDER 37 CFR 1.821 W/ SEQUENCE LISTING, COMPUTER READABLE COPY, DECLARATION 37 CFR 1.821, COPY OF ORIGINAL FEE TRANSMITTAL W/ POSTAL RECEIPT CARD

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

S. NEIL FELTHAM

Signature

Date

DECEMBER 17, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: DECEMBER 17, 2001

Typed or printed name

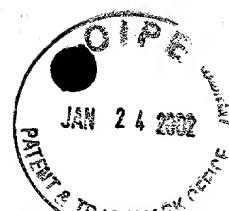
MARY BETH PITCHER

Signature

Date

DECEMBER 17, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

BRZOSTOWICZ ET AL.

CASE NO.: CL1903 US NA

APPLICATION NO.: 09/941,947

GROUP ART UNIT: 1645

FILED: AUGUST 29, 2001

EXAMINER: UNKNOWN

FOR: CAROTENOID PRODUCTION FROM A
SINGLE CARBON SUBSTRATE

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION-FILING DATE GRANTED**

Assistant Commissioner for Patents
Washington, DC 20231

Attention: Box Missing Parts

Sir:

This responds to the Notice to File Missing Parts of Application mailed October 18, 2001 (a copy of which is attached).

The Notice indicates the following parts are missing:

- (i) The statutory fee
- (ii) The Declaration
- (iii) Formal drawings
- (iv) A corrected Sequence listing.

Enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company).

Enclosed are formal drawings under separate cover.

Enclosed is a corrected sequence listing under separate cover.

Applicants have submitted a Fee Transmittal Form at the time of filing of the application on August 29, 2001, authorizing payment of the statutory fee against Deposit Account 04-1928. A copy of this transmittal accompanies this response. Additionally, a copy of the Post Card returned by the

Office indicating that the Fee Transmittal Form had been received as of the filing date is also enclosed. Applicants are of the opinion that the Statutory Fee has been paid, and are not submitting a new Fee Transmittal Form at this time to avoid paying the fee twice.

If any fee required to comply with this Notice of Missing Parts is insufficient or incorrect, please charge or credit the balance to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



S. NEIL FELTHAM
ATTORNEY FOR APPLICANTS
REGISTRATION NO. 36,506
TELEPHONE: 302-992-6460
FACSIMILE: 302-892-7949

Dated: 12/17/01



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

BRZOSTOWICZ ET AL.

CASE NO.: CL1903 US NA

APPLICATION NO.: 09/941,947

GROUP ART UNIT: 1645

FILED: AUGUST 29, 2001

EXAMINER: UNKNOWN

FOR: CAROTENOID PRODUCTION FROM A ~~#~~ 6
SINGLE CARBON SUBSTRATE

DECLARATION IN ACCORDANCE WITH 37 CFR 1.821

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively are the same.

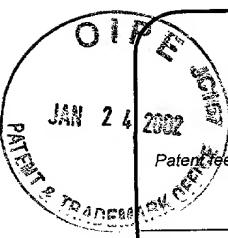
I hereby state that the computer readable copy of the Sequence Listing, submitted in accordance with 37 CFR 1.821(e) herein does not include new matter.

Respectfully submitted,

S. NEIL FELTHAM
ATTORNEY FOR APPLICANT
REGISTRATION NO. 36,506
TELEPHONE: 302-992-6460
FACSIMILE: 302-992-5374

Dated: 12/17/01

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete if Known	
Application Number	09/941,947
Filing Date	AUGUST 29, 2001
First Named Inventor	BRZOSTOWICZ ET AL.
Examiner Name	UNKNOWN
Group / Art Unit	1645
Attorney Docket No.	CL1903 US NA

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

04-1928

Deposit Account Name

E. I. du Pont de Nemours and Company

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims		-20	Extra Claims	Fee from below	Fee Paid
			= 0	X 18	= 0
Independent Claims			-3	= 0	X 84 = 0
Multiple Dependent				X 280	= 0

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	375	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	S. NEIL FELTHAM	Registration No. Attorney/Agent)	36, 506	Telephone	302-992-6460
Signature				Date	12/17/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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